



DEPARTMENT OF PUBLIC SOCIAL SERVICES

WELFARE FRAUD PREVENTION & INVESTIGATIONS SECTION

Number:

04-17

Date:

08/11/04

Administrative Memorandum

SUBJECT: WFP&I 383, DISTRICT ATTORNEY (DA) DECLINES AND WFP&I 396, REFERRALS TO DISTRICT ATTORNEY INVESTIGATION UNIT MONTHLY REPORTS

REFERENCE: N/A

CANCELS: N/A

FILE IN: WFP&I Handbook, Section 28-100

SPECIAL ATTENTION:

☒ SWFIs ☒ WFIs

I PURPOSE

This Administrative Memorandum releases the WFP&I 383, District Attorney (DA) Declines (Attachment I). This form is used to track the number of investigations declined for prosecution by the DA.

Also released is the new WFP&I 396, Referrals to DA Investigation (DAI) Unit (Attachment II). This form is used to track the number of referrals forwarded to the DAI unit.

II POLICY

Welfare Fraud Investigative staff are to submit the WFP&I 383, DA Declines, and the WFP&I 396, Referrals to DAI Unit, along with the monthly report to the Supervising Welfare Fraud Investigator.

III PROCEDURES

A. District Attorney Declines

At the conclusion of the investigation, the Welfare Fraud Investigator (WFI) shall evaluate all available evidence to determine if the evidence is sufficient to support the allegation of welfare fraud. If the WFI determines the evidence supports positive fraud findings, the WFI shall follow existing procedures for submitting the investigation to the Supervising Welfare Fraud Investigator (SWFI) as Positive - referred to the DA for prosecution consideration.

III PROCEDURES (Continued)

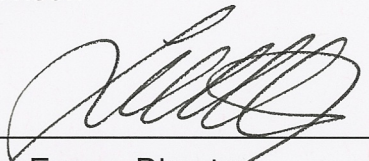
The number of investigations rejected by the DA for prosecution and returned to the WFI is to be tracked on the WFP&I 383 (Attachment I).

In addition, should the SWFI, after review of the Central Fraud Folder (CFF), determine that the DA will probably decline to prosecute, the SWFI must call the DA to request a "telephonic decline" per existing procedures. The number of telephonic declines is also tracked on the WFP&I 383.

B. Referral to the DA Investigation (DAI) Unit

Referrals that meet the criteria for investigation by the DA Investigation unit are to be referred to the DAI unit for evaluation per existing procedures. The WFP&I 396, Referrals to DAI Unit, (Attachment II) is to be used to track the number of referrals to the DAI Unit.

Please direct all questions regarding this administrative memorandum to your immediate supervisor.



Luther Evans, Director
Welfare Fraud Prevention & Investigations Section

LE:MH:rw

Attachments

c: Deputy Directors
Chief Clerk

DA DECLINES

REPORT MONTH: _____

I. DA TELEPHONIC DECLINES

UNIT NUMBER	CalWORKs	CalWORKs with Food Stamps	General Relief Only	General Relief with Food Stamps	Non-Assistance Food Stamps
Totals:					

II. DA PROSECUTION DECLINES

UNIT NUMBER	CalWORKs	CalWORKs with Food Stamps	General Relief Only	General Relief with Food Stamps	Non-Assistance Food Stamps
Totals:					

[illegible]

WFP&I 396 (08/04)